

Before the Board of Zoning Adjustment, D. C.

Application No. 11996, of Minnesota Business Center, Inc., pursuant to Section 8207.2 of the regulations, for a special exception to permit an auto repair garage, retail sale and installation of automobile accessories and hardware (1st floor, basement used for storage incidental to retail sales), as provided by Section 5103.41 of the regulations in the C-3-A Zone at the premises 3925 Minnesota Avenue, N. E., Lots 6 & part of 7, Square N-5051.

HEARING DATE: July 16, 1975

DECISION DATE: August 6, 1975

FINDINGS OF FACT:

1. Applicant is requesting a special exception to establish its auto repair garage, retail sale and installation of auto accessories and hardware on the first (1st) floor of the subject property with the basement to be used for storage incidental to the retail sales.

2. The subject property is improved with a one (1) story concrete block row building occupying 100% of the lot and containing approximately 11,000 square feet. The structure was formerly used by the Great Atlantic & Pacific Tea Company as an A & P Food Store.

3. Applicant's business will encompass the retail sale of automobile accessories, installation and auto repair work in the form of tune-ups, front end alignment, muffler and battery replacement, lubrication and oil change, and repair and replacement of tires. There will be no body or fenders work done on the premises.

4. The subject property is located in a shopping center not within twenty-five (25) feet of a residential district and there are five (5) acres of combined parking. Applicant will perform all auto repairs and installation work in the three (3) bays contained in the building. Excess automobiles waiting for repair work can be parked in the lot and delivery trucks will be allowed to unload at the rear of the building.

5. Applicant is being forced to vacate its current location which is in close proximity to the subject property because of Metro.

6. There is no opposition to the application of record.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact and the evidence of record the Board concludes that the applicant's proposed business is not located within twenty-five (25) feet of a residential district and all repair work is done within the building. The Board finds that the granting of this special exception is in harmony with the general purpose of the Zoning Regulations and will not tend to adversely affect the use of neighboring property.

ORDER: It is hereby ordered that the above application be GRANTED.

VOTE: 4-0 (Lilla Burt Cummings, Esq., not voting after not having heard the case.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: James E. Miller
JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER: August 6, 1975

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTH AFTER THE EFFECTIVE DATE OF THIS ORDER.